Question 41.
ITP - Section A2.1 Proposer’s Offer, page A-1 says, “Complete and submit Parts 1 and 2 of the Appendix to Form of Proposal (Form FP(A), Appendix D).” In Appendix D, Form FP(A) Part 1 lists 7 items and an address:
   a. Proposal Validity Period
   b. Warranty Period
   c. Proposal Bond (Form PB)
   d. Performance Bond (Form PEB)
   e. Payment Bond (Form PAB)
   f. Design-Builder’s minimum required insurance
   g. Liquidated Damages

Do we need to submit an acknowledgement to the proposal validity period, warranty period, minimum required insurance, and liquidated damages items; would a simple letter signed by the CJV’s authorized representative suffice? Forms PB, PEB, and PAB are required in Volume 3, 3A, and 3B. Do we need to include copies of these forms as part of this section in Volume 1?

Answer: Section 1 of Form FP references the Appendix Part 1, so by signing Form FP, the Proposer does acknowledge the requirements stated in FP (A) - Part 1. Form PB shall be included in Volume 3B only and shall cover the Proposal Amount for the Base Project plus the Option. Forms PEB and PAB shall be submitted by the successful Proposer after selection of the Best Value Proposal.

Question 42.
ITP - Section A2.1 Proposer’s Offer, page A-1 states, “Provide a firm offer to the Department valid for the period stated in ITP Section 2.7.1, using the Form of Proposal (Form FP, Appendix D). The offer shall be executed by the Proposer or by its legally authorized representative. If the Proposer is a joint venture or a partnership, the offer shall be executed by all joint venture members or all general partners, as applicable.”

Will the Department consider accepting one signature from the attorney-in-fact instead of representatives from each of the JV members?

Answer: No, please provide the necessary signatures as stated in the ITP.

Question 43.
ITP - Form RFC, specifies, “A: Requesting a change in a member of the Design-Build Team,” while Section 1.15 on page 10 indicates changes to a principal participant. Per the definitions, principal participants is defined as:
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a. The design-builder
b. Member of a partnership, joint venture, or LLC
c. equity participant.

Will the Department clarify that Form RFC is requesting changes to “principal participants” since the term “member” could be interpreted as a non-equity participant, such as a known subcontractor or subconsultant?

Answer: “Member” as referred to in Form RFC, Section A, includes the Principal Participants as well as the Lead Constructors, Design Engineering, Construction Inspection, and Materials Testing firms. It does not include subconsultants/subcontractors to the Lead firms.

Form RFC must also be used when requesting changes in Key Personnel, as stated in the ITP Section 1.15. Also, as stated in Section 1.15, when requesting a change in the organization, documentation must be provided to demonstrate that the replacement (Firm or Key Personnel) meets the criteria (pass/fail and quality) stated in the RFQ.

Question 44.
ITP - If proposers submit Form RFC and it is not approved by the Department, is a copy of the form required in Volume 1 Section 3?
Answer: No.

Question 45.
As-Builts – Please confirm Proposer’s can distribute the as-built drawings provided in the August 6th Draft RFP meeting to prospective demolition subcontractors.
Answer: Yes.